

A

S P E E C H

Without Doors.

*Sibi id Negoti credidit solum dari,
Populo ut placerent quas fecisset Fabulas.*

Terent.



L O N D O N,

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Advertisement.

THEY who have read Dr. Sacheverell's *Sermons*, may easily know who was not the Author of his Speech. The Doctor was not contented to deliver this Speech to the Lords his Judges, but has also publish'd it in a small Print, and by his Party industriously spread it throughout the Kingdom. This is an Appeal from the Lords to a much Inferior Order. But since the Proceedings of our Legislators will be beyond the reach of such Readers, and that it is nevertheless fit that these should not be deluded; this Speech is fitted both to the Pockets and Understandings of the Doctor's Judges without Doors.

A SPEECH *without Doors.*

Gentlemen,

DR. Sacheverell has been impeach'd at the Bar of the House of Lords by the Commons of *Great Britain*, and convicted at that Bar of High Crimes and Misdemeanors; the Substance of one of them is, That he asserted in his Sermon preach'd in the Cathedral of *St. Paul*, That it is unlawful to resist our Kings upon any Pretence whatsoever; and that he did this with an Intention to cast odious Aspersions on the Memory of our late Glorious Deliverer, and to blacken the Revolution.

Gentlemen, We are beholden to the Doctor, for saving our Representatives a great deal of Trouble, to prove him guilty of this Assertion. He had deliver'd it in so plain, so peremptory Terms, that he had put it out of his power to deny it: and therefore his Counsel, in his Answer, and the Composers of his Speech, have confess'd and justify'd it by pretended Principles of the Church of *England*.

It is manifest beyond all possibility of Contradiction, that this is not the Doctrine of the Church of *England*, as by Law establish'd, ever since the Revolution. Indeed I am not very solicitous, if before that time this might have been pretended to be a legal Doctrine; We have had Princes so full of their Designs of Arbitrary Power, we have had Parliaments so ready to compliment them with whatsoever they thought fit to ask, that it is no wonder if Pretences for such a Doctrine may have crept into some of our Statutes, and have been incorporated with our Laws. But this was the very thing which brought upon us all those Miserys which call'd for the Revolution; and now ever since that time every the least Pretence for this Assertion stands repeal'd by the Act of Settlement of the Crown, by which also the Rights and Privileges of the Subjects are secur'd. By that Act the Subjects are declar'd to have a Remedy as well as Right to all their Privileges; all Oaths of unlimited Submission to our Kings are repeal'd, and new Oaths of general Allegiance are substituted in their places, any Law or Statute to the contrary notwithstanding.

But nothing less will satisfy the Doctor, than that this must still be a legal Doctrine. The Homilys, the Articles, the 13th of *Eliz.* and the Act for uniting the two Kingdoms, are brought for this purpose, by which he will needs have the last Statute on his side. There are indeed Passages in the Homilys which seem as much to assert the Illegality of Resistance upon any pretence whatsoever, as the Doctor has done in his Sermon: And so there are places in the Homilys against the Use of Organs in Churches, which yet are generally receiv'd. The Compilers of the Homilys were good Men, nevertheless they were but Men, Men of like Prejudices and Passions with other People, Men without the Inspiration of the Holy Spirit; and however this may be, yet they could not give the Sanction of a Law to any thing which they deliver'd. The Articles were compos'd by a more Reverend Authority, that of a Convocation of the Clergy of *England*: yet this of it self is not equivalent to a Law. Now all that the Doctor can draw from the Articles is, that they declare the Homilys to contain a godly and sound Doctrine in general, without affirming this of every Passage in every Homily. Certainly it never was the Intention of the Makers of the Articles, to give as much Authority to the Compilers of the Homilys, as to the inspir'd Penmen of the Holy Scriptures. The Act of the 13th of *Eliz.* has indeed given the Sanction of a Law to the Articles; but has requir'd no larger Assent to the Homilys than is requir'd by the Articles themselves. And lastly, the Act of Union has confirm'd the 13th of *Eliz.* and consequently the Articles; and made the same perpetual. So that all we have gain'd by this, is, that we have a Law still in force, declaring that the Homilys contain a wholesom, godly and sound Doctrine; which I verily believe they do, and yet with some few Errors, which I am no where forbid to acknowledg. And this Doctrine of Non-Resistance is one; it is virtually so declar'd by the Act of Settlement of the Crown, which in no part nor by any Construction of Law can be intended to be repeal'd by the Act for uniting the two Kingdoms.

The Doctor has laid some stress upon the Decree of the University of *Oxford* in Convocation, for burning several Books for Assertions contrary to his Doctrine: But what Authority could they have to make any such Decree? The Lords have paid as just a Regard to it as it deserv'd, by ordering it to be burnt by the common Executioner.

Lastly, The Doctor has endeavour'd to justify himself by the Authority of Court-Sermons, and of many Reverend Divines who were too naturally carry'd away with the current Stream of that Doctrine. This had so much encourag'd some of our Kings to assume an Arbitrary Power over their Subjects, as brought us to the very brink of Ruin. We were sav'd by
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the Revolution, by which we gain'd the Bill of Rights; and as long as this shall continue in force, the Unlawfulness of Resistance upon any pretence whatsoever can never be a legal Doctrine.

It might have been expected that a Divine should defend his Doctrine by Authority of the Holy Scriptures. The Lords, the Commons of *Great Britain*, will yield to this Authority. Every Power, every human Law must give place to the Law of God. But the Scriptures are all silent in this matter; they leave us to our own Constitution for the *Measures of our Submission*; they prescribe no Obedience of the Subject contrary to the Law of Nature, the Laws of Nations, or the particular Laws of our own Country. With the leave therefore of this Reverend Gentleman, I shall be able to shew that the Authority of all these Laws is against his utter Illegality of resisting Princes upon any pretence whatsoever.

Indeed if this Prerogative, never to be resisted upon any pretence whatsoever, may be thought to belong to any King at all, it must be to such a one as has the whole Power, the *Imperium summum summo modo*, the most absolute Power in the most absolute degree, by whatsoever name he is call'd, whether by the name of Duke, Marquis, Earl, Baron, or any other inferior Title. And it cannot belong to a Prince without this Power, and with any name whatsoever, tho with that of King, Emperor, Grand Signior, Great Mogul, or any more magnificent Title.

It cannot belong to a King who by the Constitution of his Country has no part at all in the supreme Power; such were heretofore the Kings of *Sparta*. But these were only nominal Kings; in effect they were but Ministers of the People. This never was the Case of the Kings of *England*, and 'tis to be hop'd never will be the Case of the Kings of *Great Britain*; it is to be hop'd they will ever have a just Share in the Supreme or Legislative Power. But the Doctor's Assertion is so universal, that it leaves no Exception even for the Kings of *Sparta*. The *Spartans* were not at liberty, according to this Gentleman, to erect what Form of Government they pleas'd: When they had once set up Kings (with whatsoever Limitations) they were bound for ever and without any exception to obey them; and it was unlawful for them to resist upon any pretence whatsoever. And thus has this great Master of Politicks prescrib'd to the *Spartans* a Law, of which *Lycurgus* never dreamt.

Again, this Prerogative, never to be resisted upon any pretence whatsoever, cannot belong to a Prince whose Government is limited for a certain time. The Dictators of *Rome* were as absolute Magistrates as ever were created. They were Magistrates from whom there was no Appeal. But their Power was

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of short continuance ; it was *Imperium Semestre*, a Government only for half a year. And should a Dictator have endeavour'd to hold on his Office beyond that Limitation, it would have been lawful for the People to resist him. But according to this Author, the *Romans* were quite mistaken ; when they had chosen a Dictator for six months, they were bound to obey him for ever, and it was out of their power to remove him.

And just like this is a Government upon Condition : If a King by the Constitution of his Country has taken his Kingdom upon Condition, whether express'd or imply'd, it must be said that a Government upon Condition is a Government with a Limitation. Now it is the very nature of Conditions, that the Breach of them shall determine every thing to which they are annex'd. And this holds true in all things, from the Kingdom to the meanest Trifle. But according to this Gentleman, if a Prince shall break the Condition upon which he receiv'd his Kingdom, his Subjects shall not take the Forfeiture of that Breach ; the Condition it seems is void, but the Kingdom Absolute.

Again, if a King has only part of the Supreme Power, and any other part of it remains with the Senate or the People, to be exercis'd either severally by themselves or jointly with their King ; in this case, if the King shall seize the Part which does not belong to him, it will be lawful to resist him. And this is true, tho' the Militia or the Power of the Sword be lodg'd with the King alone ; for that must be understood to be a Power of making foreign Wars, Wars upon the Enemies of the State, and not to restrain the People from defending their own Share in the publick Constitution. But now, according to this Gentleman, if the Constitution has given the King a part of the Supreme Power, he may seize the whole ; for the People are never to resist him upon any pretence whatsoever.

I think all the Cases of Resistance, which have been mention'd, are to be found in *Grotius*, an Author generally valu'd by the Clergy of the Church of *England* : For my own part I have a very great Veneration for him, but none at all for these Cases because they are affirm'd by him, or by any greater Authority, but because they are first Principles. They are Laws of Nature and Reason, which ought no more to be disputed than the first Principles of Geometry.

Surely, *Gentlemen*, this Quality never to be resisted upon any pretence whatsoever, cannot belong to a Prince consider'd in any of the Cases which have been mention'd, because every such Prince wants something of Absolute and Supreme Power. But then let a King be ever so Absolute, let him be perfectly Supreme ; yet if instead of protecting his People, he shall endeavour or compass their Destruction, I must beg leave to say, that by the Law of Reason and Nature, Protection and Allegiance

giance are reciprocal ; and if the Prince fails of Protection, he absolves his Subjects from their Allegiance. Protection of the People is the Condition as well as End of every Government ; and then what was said before will hold true, A Government upon Condition is a Government with a Limitation, and the Breach of the Condition brings it to an end.

I might produce out of History many Examples of the Practice of Nations, founded upon this Law of Nature or Reason ; but a few that are modern, and known to every man living, will be sufficient. Perhaps there is not a more absolute King in the World, than the Eneiny with whom we have been so many years contending. Yet when the Allys sit down before his great Towns, before *Lisle*, before *Tbimay*, *Landau*, or any other Places, what do the People do ? They don't think fit to wait for Succour from his superior and better-appointed Army's ; they capitulate for themselves in time, and for the Preservation of their Rights and Privileges ; they withdraw their Allegiance from their old Sovereign, and transfer it to his Enemy's. And does the Doctor, does any Man doubt that they are now the Subjects of those Princes to whom they have sworn Allegiance ? or that by the Commands of their new Sovereigns they may lawfully resist their old Master ? And yet he was guilty of no other Offence towards them ; his single Guilt was, his being no longer able to protect them. This was the Breach of the Condition of his Government, and by this he lost all his Right and Title to their Allegiance.

But what then, if this Prince, instead of not being able to protect these People, had resolv'd upon their Destruction ? What, if he had himself come against them at the head of his Army's, with a Resolution to burn their Towns, to seize their Estates and Propertys, to enslave or destroy their Persons ? Surely by the same Law of Reason it must have been more lawful for these very Subjects, in this extremity, to betake themselves to the Protection of other Princes, or to defend themselves against such Violence.

And such a Conduct would be justifi'd by the Practice of Nations. That of the *Dutch* is very remarkable : Their Estates, their Libertys, their Lives, and their Religion, every thing that was dear and valuable, was invaded by the King of *Spain*, their Sovereign : He sent the Duke of *Alva*, the sworn Enemy of this People, to destroy them : They had no whither to fly for Protection : They bravely stood upon their own Defence ; they withdrew their Allegiance from their old Prince, and declar'd themselves a Free and Independent State. They were acknowledg'd, and assisted as such, by our Renown'd *Q. Elizabeth* ; they were acknowledg'd to be such by most other Potentates of *Europe*, and last of all by their own Prince. And does any man doubt that they are a Free and Independent State ?

Does the Doctor himself believe that any Allegiance is due from this People to the King of *Spain*? Does he make the least doubt of the Legality of their first Institution? Tho possibly they had nothing to justify their Conduct, but the Law of Nature, the Practice of Nations, and the Breach of the very Conditions of Government on the part of their Sovereign, Almighty God, by his peculiar Providences to this People, seems to have justify'd their Conduct: They have now for above the space of a hundred years, by a wise Oeconomy and frugal Administration, made a more considerable figure in *Europe* than their old Master, with all the Gold and Silver of the *Indies*, and a hundred times greater Extent of Territory than belongs to this little People.

Such has been the Practice of Nations in like Cases of Extremity; and the Practice of Nations is what we call the Law of Nations. But the same is also founded upon the Law of Nature and Reason; namely, That tho a Prince be Absolute by the Constitution, tho he be possess'd of the whole Supreme Power; yet if instead of protecting his People, he should endeavour to destroy them, he would break the Condition of his Government, and lose all Right and Title to his Supremacy.

By this Law of Nature and Nations, we shall be very well able to justify our own Conduct towards the Prince whom we resisted, when we shall have first consider'd some part of his Conduct towards us, before we made any Resistance. He certainly broke the Condition of his Government; he acted contrary to the very End of it; it was his Resolution to destroy his People. It is a Principle of Popery, That Faith is not to be kept with Hereticks; it is also a Popish Principle, That Hereticks ought to be destroy'd: these are Principles of that Church, for they have been decreed by one of their General Councils. In pursuance of these Principles, the Rebels of *Ireland* destroy'd the Protestants, Men, Women, and Children, by the most barbarous Executions we have read of in any Age or History. In pursuance of these Principles, and of the Popish League to extirpate the Northern Heresy (so the Protestant Religion is call'd) his most Christian Majesty revok'd the Edict of *Nantz*, the fundamental Security of his Protestant Subjects, after a solemn Declaration that it was never intended to be kept by himself or his Predecessors, but for their own Convenience. When this Edict was revok'd, the Dragoons were immediately let loose upon the poor Protestants, for their Conversion. Now if the Prince whom we have resisted was not in the same League, why did he suffer himself to be told in print that he was, and in Books publish'd by his immediate Allowance; and that he was to have the Assistance of the *French* King to convert his own Subjects? Why did he keep up a Standing Army in a time of profound Peace, against the known

Usage

Usage of this Kingdom, and to the great Terror and Grievance of his People? Why was he every day modelling that Army, and filling it with the Sons of those *Irish* Rebels, or those *French* Converters, as if no others had been fit for the Service? All our Civil and Religious Rights were as much invaded by the evil Counsels given to this unhappy Prince, as those of the *Dutch* by the King of *Spain* and the Duke of *Alva*; and we had no remedy left but the last. The same Law of Nature which justify'd the People of *Lisle*, *Tournay* and *Landau*, in transferring their Allegiance to the Enemys of their Prince, when he was no longer able to protect them; the same Law of Nature, which justify'd the *Dutch* in withdrawing their Allegiance from the King of *Spain*, when instead of protecting he endeavour'd to destroy them; the same Law, which will justify the like Conduct of every other Nation in the like Extremity, will justify our Resistance, when our Destruction was resolv'd, and the very Condition of the Government was broken. Tho the King had been the most Absolute Prince in the World, tho he had been possess'd of the whole Supreme Power, these had been sufficient Reasons for our Resistance, and his Abdication; and yet to justify our very Reasons, he was all his life after endeavouring to be restor'd by the Assistance of the *French* King, that very King who has so often broken his Faith with his own and other People. He was never under any Stipulations at all to us, and we had no reason to expect any Mercy from him.

But certainly, *Gentlemen*, the Prince whom we resisted was not Absolute, he was not possess'd of the whole Supreme Power; the Lords and Commons had also their Share, which was invaded and seiz'd by the King. And therefore we have more to defend our Resistance, than that general Law of Nature, by which Kings shall lose their Right of Supremacy, if either they are no longer able to protect their People, or shall endeavour to destroy them: We have also this other Law of Nature in our Defence, namely, that where by the Constitution the King has only a part of the Supreme Power, and any other joint or several Share of the same Power is lodg'd in the Senate or the People; if in such a case the King shall seize the Share which does not belong to him, it will be lawful to resist him.

What I have affirm'd to be the Laws of Nature or Reason, or the Practice of Nations founded upon those Laws, the Doctor, or those learned Gentlemen who compose for him, may disprove, if I have been mistaken. I must now beg a little of your Patience, while I endeavour to shew that by our own Municipal Laws, by the very Constitution of our Country, the Prince whom we have resisted was not Absolute, was not possess'd of the whole Supreme Power; certainly no King of *England* ever was. This matter will be evident; if we will but give our selves time to consider our Kings thro the several parts of Supreme Power.

It is a part of Supreme Power to lay Taxes and Impositions upon the People. Without such a Power the Government can neither flourish in a time of Peace, nor be supported in a time of War. But this part of Supreme Power does not belong to our Kings alone. A great deal of Money has been given to our Princes, and some they have violently taken from the People under the specious names of Loans and Benevolences. But these Violations have ended sometimes with the Ruin of the Kings themselves, very often of their Ministers, and almost always in a more firm Establishment of the Peoples Rights by new Declarations of Parliament; such was heretofore the *Magna Charta*, such of late has been the Petition of Right and the Act concerning Ship-money. Will the Doctor now, or any of his Friends, be so hardy as to affirm that our Kings have this Power, without the Consent and Authority of the Estates in Parliament?

To make Peace and War is another part of the Supreme Power. Now indeed for the better conducting this Power, so much Secrecy and Intrigue are necessary, that the Wisdom of our Constitution has thought fit to lodg the same in our Kings alone; but then they must resort to the Parliament to oblige Men into their Service, they must resort to the People for Money to pay their Armys. And so long as this is necessary, no wise Prince will ever make a War without Advice of his Parliament, where it can be had with safety; and where it cannot be safely had, he will not venture to do it without a Presumption of their Consent.

Justice and Mercy are another part of Supreme Power; Justice to punish Offenders, and Mercy to pardon Offences. These may be exercis'd in common Forms, but Supreme Power must not be ty'd to any: There may be Judges, and Jurys, and Witnesses, and Sheriffs, to bring a Malefactor to the Gallows; but if all these Formalitys should be laid aside for the Wheel, the Rack, the Bow-string, or the fiery Trial, who shall contradict the Supreme Power? But now will the Doctor, will any Man affirm, that this Power without Forms is lodg'd in our Kings alone? The King cannot imprison any Man without a cause; and if he does, the Prisoner has his remedy to be discharg'd. If a sufficient Cause be shewn for the Imprisonment, yet may the Prisoner bring this Cause to a speedy Trial. The Trial indeed shall be before Judges of the King's Appointment; but there is the less danger in this, because even these very Judges are not, they are sworn not to be at the King's Command: and yet if they were, they cannot influence the Trial. If a Grand Jury of sufficient Gentlemen should not find a Bill against the Prisoner, he shall be discharg'd. If they should find their Bill, yet is the Sheriff to return another Jury to try the Fact: and here the Prisoner shall have his Challenges

to the Array, his Challenges to the Poll, that his Jury may be indifferent. And then if all these should not agree in a Verdict against him, he shall be discharg'd. If these should agree in their Verdict against him, yet there are a multitude of Exceptions to the Form of the Indictment, and other matters to relieve the Prisoner, and to arrest the Judgment. If all these should be over-rul'd, and Judgment should be given; at last the Execution shall be according to the Form of the Judgment; the King cannot change Hanging into Burning, or Drowning, or Breaking upon the Wheel. All that has been said here is but a Comment of our Law on the *Magna Charta* it self: *Nullus liber Homo capiatur, &c. nisi per legale Judicium Parium suorum, vel per Legem Terræ.* This is the View of our Kings in their Justice: But then for their Mercy, the King indeed may pardon Treason, Felony, or any other Offence whatsoever; that is to say, he may remit the Punishment where the Prosecution is at his own Suit. But if a Man should be attainted by Appeal, which is the Suit of the Subject, the King cannot save him. And even where a Man is attainted at the Suit of the King, and his Blood is thereby corrupted, the King indeed may save the Life of the Offender, but cannot purge the Corruption of his Blood. Behold the Power of our Kings in the Administration of Justice and Mercy! Was ever Prince possess'd of the whole Absolute and Supreme Power, so restrain'd and limited in the Exercise of so necessary a part of it?

But the Parts of Supreme Power, which have been hitherto particularly describ'd, are all comprehended in the Legislation, or the Power of making Laws; and it is a part of this to repeal, or dispense with Laws already made. Now will the Doctor affirm that the Laws of this Kingdom are made by the King? Will any man shew a Law that was ever made by any King of *England*? All our Laws are made by the King, Lords and Commons, and by their joint Consent and Authority. The Consent of all three is necessary; and if the Consent of any one is wanting, no Law can be made. Whence it is plain, that the Power of making Laws is not lodg'd in our Kings alone, but in the Consent, or Union, or Federacy of King, Lords and Commons.

Amongst these therefore there must needs be such a degree of Equality, as is necessary to preserve to every one the Necessity of Consent, and a just Share in the Legislative Power. For if this should be deny'd, then it will inevitably follow that our Kings alone may exercise this whole Power without Consent of the Lords and Commons, contrary to the Fact, and also contrary to the Supposition. From hence it must also follow that if any of our Kings should take upon him to levy Taxes or Impositions on the People, to dispose of the Lives, Libertys, and Estates of the Subjects without the Forms pre-

scrib'd by Law, to make Laws, or to repeal or dispense with Laws already made; he manifestly takes upon himself to exercise the whole Supreme Power, and to exclude the Lords and Commons, who may therefore justly petition the Prince to be restor'd to their equal Shares. But if this Remedy should fail, they may very justly pursue their Right by War, which is indeed an Appeal to Heaven, but yet the only proper Trial betwixt Powers that have any kind of Equality, and no common or superior Jurisdiction to judg betwixt them. If the Issue of such a War should be, that the King should be depriv'd, and the Lords and Commons should exercise the Supreme Power without him; the King would have no reason to complain, the Retaliation would be very just.

But perhaps it will be said, that by the King's Usurpation of the whole Supreme Power, this Right can by no means devolve upon the Estates, but rather upon the whole Body of the People from whence it was at first deriv'd. For when the People confer'd the Supreme Power on King, Lords and Commons, it was their Will to be govern'd by the joint Consent of all the three; and the Peoples Will to be govern'd by the joint Consent of Three, is not their Will to be govern'd by two without the third, any more than by one alone without the other two. And therefore the Usurpation of the whole Supreme Power by one alone, by the King for instance, is a Devolution of the Right of this Power not upon the Lords and Commons, but upon the whole Body of the People, who are again at liberty to make choice of the same Form, or any other Form of Government which they shall like better. But thanks be to Almighty God, that this People, as often as they have been compel'd to change their Governors, have still kept to the same Form of Government, so happily contriv'd, and so agreeable to their own Tempers and Dispositions!

The Sum of what has been said is comprehended in this short Argument or Syllogism: If a King has only a part of the Supreme Power, and any other part of the same Power remains with the Senate or the People; in this case, if the King shall seize the Part which does not belong to him by the Law of Nature or Reason, he may be resisted: but by our Municipal Laws, by the very Constitution of our Government, the King has only part of the Supreme Power, the rest remains with the Lords and Commons; and therefore if the King shall seize the Share which belongs to the Lords and Commons, it must be lawful to resist him. If the Doctor will think fit to deny the first Proposition, he must deny the Law of Nature or Reason; if the second, he is not afraid to disown our very Constitution, and so many Laws that confirm it. The Doctor by his bold Assertion has deny'd both, and therefore very justly brought upon himself the Prosecution of the Commons of Great Bri-

tain, and deserv'd a less gentle Sentence than is inflict'd on him.

Now, Gentlemen, this Argument I must beg leave to apply to that unhappy Prince whom we resist'd, and to shew that he disseiz'd the Lords and Commons of their several Shares of the Supreme Power. In the progress of this Argument, you must needs have a lively sense of the pernicious Consequences of this Gentleman's Doctrine upon our Constitution, and of the extreme Miserys to which he so willingly betrays his Fellow-Subjects. It is a part of Supreme Power to lay Taxes and Impositions upon the People ; this by our Constitution never did belong to the Kings of *England* : yet the unhappy Prince whom we resist'd, continu'd the Excise and Customs beyond the Limitation of them by Act of Parliament ; this was to lay a Tax upon his People. He quarter'd Soldiers upon the Subjects, this was a more grievous Imposition, and expressly contrary to the Petition of Right. These were but the Beginnings of our Sorrows, they were yet in their very infancy ; if we had thought fit to have given them time, they would have grown up to their full strength, and beyond the reach of any Remedy. We should long e'er this, even from the very Decease of that unhappy Prince, we should have had the Pretender upon the Throne, who would have laid aside our Parliaments for ever, and tax'd us at his pleasure. We should no longer by our own Consents have given part of our Substance for the preservation of the rest : all would have been taken from us by heavy Customs and Excises, for the mere Grandure of our Prince. He would have doubled the Prices of every thing we eat and drink and wear, of all the Necessaries and Conveniencys of Life. He would have reduc'd us, like our Neighbours, who live under the same blessed Form of Absolute and Never-to-be-resist'd Monarchy, to Black Bread, Garlick, and Wooden Shoes ; yet even these very things should have been also tax'd, our very Miserys should pay their Tributes to support the Luxury of our Prince. In short, he would have made Soldiers of one half of the People, that by their Assistance he might have made Slaves of the other. And yet by the Doctrine of this Reverend Divine, all this must have been endur'd : The Authority of the Estates is by no means to be defended ; the King ought not to be resist'd upon any pretence whatsoever. Now the Men of these Principles are generally such, as believe the Pretender to be legitimate ; and as they believe the Resistance unlawful, which set aside the Father, they must also believe the same Resistance unlawful, by which the Son has been excluded. They must consequently think it their Duty to invite over the Pretender, and to place the Crown upon his Head. And thus we are to accept of a Viceroy, from the very Prince whom at so vast an

Expence

Expence of Blood and Treasure we have subdu'd ; a Viceroy nurs'd and educated in Tyranny, and one that will be sure to follow the Commands as well as Example of his Master ; one that will not fail to introduce among us those laudable *French* Methods of Robbing the People at the Will and Pleasure of the Prince. These are some of those Favours this Reverend Divine is willing to bestow upon us, by giving up to *his Prince* the sole Power of laying Taxes, and by depriving the People of their whole Interest in this part of our Constitution.

But then it is also a part of Supreme Power to dispose of the Lives, Libertys, and Estates of the Subjects without the Forms prescrib'd by Law : This never did belong to the Kings of *England* ; yet the unhappy Prince, whom we resisted, executed Martial Law in an Army rais'd without his Parliament ; he erected an Ecclesiastical Commission with a power to imprison others during Life, and even to deprive Ecclesiastical Persons of their Benefices for Disobedience to their illegal Censures. This was to dispose of the Lives, Libertys and Estates of the People, contrary to the Forms prescrib'd by Law. Now if notwithstanding this, the Resistance was unlawful by which that Prince was depriv'd, it was most certainly our Duty during all the rest of his Life to have repossest'd him of his Kingdoms. If also that Resistance was unlawful by which the Pretender was excluded, we are now oblig'd in Duty to place him on the Throne. And then what an Alteration will be made in the whole Course of Justice ? Then all those solemn Forms of our legal Proceedings will be thought too slow, they will vanish with our Parliaments ; no longer any Trials by our Peers, by our Neighbours, by those that know us : Justice will be more expeditious ; Wheels, Racks, and Gallies, so successfully practis'd in *France* to subdue the Tempers of that People, and so often recommended to us by *French* Lackeys and Valets de Chambers ; Wretches ! that are fled hither for shelter from Persecution, and yet are every where full of the Splendor of their August Monarch, and his Absolute Power to command their Heads from off their shoulders. And yet according to this worthy Divine (instructed no doubt by such Schoolmasters) our legal Proceedings are without Defence ; our Lives, Libertys and Estates are at the absolute Will of the King, who is not to be resisted upon any pretence whatsoever. Good God ! And is this the Man for whose sake you have rais'd such Insurrections and Rebellions ? For whom your Zeal has flam'd out in Bonfires and Illuminations ? Whose Health is every where recommended in the same Glass with the Queen and the Church of *England* ? Are Racks, Wheels, and Gallies then such Benefits to a Nation ? Is it possible you should be so fondly, so blindly devoted to the Man, who has given up to *his Prince* your Lives, Libertys, and Estates, by betraying that part of
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our Constitution which is so necessary for their Defence ?

Lastly, It is a part of Supreme Power to make Laws, and also to repeal and dispense with Laws already made : This by our Constitution was never lodg'd in our Kings alone ; yet the unhappy Prince, whom we resisted, set forth Proclamations against Law, and commanded the same to be read in Churches by Ministers, under pain of Deprivation : this was to give the Force of Laws to his own arbitrary Edicts. He dispens'd with all those Laws at once, which had been many Ages making, to secure our Religion and our Libertys. This was to exercise the whole Legislative Power. And what were the Consequences of Dispensing with those Laws which were the Bulwarks of our Religion ? Priests and Jesuits swarm'd among us ; our Bishops, our Pastors, the Dispensers of God's Holy Word and Ordinances, were suspended ; the *Parkers*, the *Cartwrights* (such Sycophants !) were plac'd in Bishopricks, or else they were kept vacant for the reception of Popish Successors ; the very College where this worthy Doctor had his Education was evacuated, and fill'd again with Fellows of that Religion : Popery was breaking in upon us like a Deluge. But had we but the patience to have staid till the Pretender should have succeeded, the Bible would have been taken out of the hands of the People, our Liturgy would have been banish'd, Mass would have been introduc'd in all our Churches ; and according to the Example of *France*, not a Man would have been suffer'd to live in this Kingdom that durst own himself a Protestant. And yet, according to the Doctrine of this Gentleman, all this must have been endur'd : And if upon this Principle the Pretender ought not to have been excluded, by the very same it is our Duty to restore him, as much a Bigot as he is to Popery, and tho he were sure to return with all his *French* Maxims of Government, and those powerful Methods of Conversion, Gallies and Dragoons. Our Acts of Settlement, our Acts and Oaths of Abjuration, all our Laws for the Establishment of the Church of *England*, must fly before him ; since the King is not to be resisted upon any pretence whatsoever. And is this Gentleman indeed in such disquiets for the Church ? Is this the Gentleman that must fright the People with the great Danger of the Church from the Administration of the Queen ? Is the Church in greater Danger from any Man than from Himself ? Does not this very Principle of the Doctor lead us directly on to Popery ?

They are Men of this Principle, who are always preaching to the People the Independent Power of the Church, and the dangerous Schism of dividing from the Authority of the greater part of the Clergy. And how then is our Reformation by Queen *Elizabeth*, against the Consent of the Clergy, to be justify'd upon this Principle ? It could not be otherwise than a Schisma-

Schismatical Reformation ; and it will be our Duty to return as fast as ever we can into the Bosom of HOLY CHURCH, a Term which our modern Addressers have borrow'd from the Bigots of the Church of *Rome*. And is not the Doctor too of this Principle ? Upon what else does he build his indelible Character, his uninterrupted Succession from the Apostles, his Authority over his Flock which he pretends to have receiv'd by the Gift of the Holy Ghost ? Is the Voice of a *Select Vestry*, the Voice of the Holy Ghost ? Is not the Independent Power of the Clergy a direct Principle of Popery, which must endanger the Church of *England* ?

They are Men of these Principles, who are, like the *Romish* Church, for taking the Bible out of the hands of the People ; who think the Creed, the Lord's Prayer, and Ten Commandments sufficient for their use ; who endeavour to persuade them that the possession of the whole Bible will lead them into Heresy, and that Ignorance is better than Heresy, and is moreover the Mother of Devotion. And is it not upon this Principle that the Doctor has so superciliously pass'd over all the Arguments of the Learned Managers of the House of Commons, by which his false Comments on the several Passages of Scripture have been confuted ? It seems those Gentlemen are Laymen ; and, contrary to the Sense of the Apostle, they must not, like the noble *Bereans*, be intrusted with the privilege of searching the Holy Scriptures.

Again, They are Men of these Principles who are preaching up the Union of the Churches of *England* and *France*, and who are projecting Schemes for uniting the Clergys of both Kingdoms. Surely they are very fond of that Spirit of Persecution, which has so lately clear'd *France* of the Heresy of Protestants. And is it not with this Spirit of the Church of *Rome*, that the Doctor inveighs with so much Fury against the Toleration ? But what kind of Union would these Gentlemen propose ? The Infallible Church will abate nothing ; it therefore must be their Intention to make us absolute Converts of Popery.

They are also Men of these Principles, who are so zealous to recommend the Necessity of Auricular Confession, so useful in the *Romish* Church to enslave the People to the Priest. It seems they want to be admitted into our Closets, into our very Bedchambers, to a closer Conversation with our Wives. If this has rais'd for the Doctor a Party among the Women, is he also for the same reason become the Favourite of their Husbands ? And is not the Church in danger from such Principles as these ?

These are indeed direct Principles of Popery ; but that of which the Doctor has been accus'd and convicted, is worth all the rest for the Establishment of that Religion : For if the Prince shall resolve, in defiance of our Laws and Constitution,

to impose Popery upon the People; yet he is not to be resisted upon any pretence whatsoever. For my own part I sincerely believe the Doctor wou'd not resist a Prince, that shou'd impose Popery on his Country.

And is this your Idol? Is this the only Object of your Worship? Is he another Saviour, that you thus croud about him to touch the Hem of his Garment? for what Virtue? for what Holiness? for what Remedy of your Distempers? for what single Benefit either receiv'd or expected? Is he then so great a Benefactor to the Nation, by having given up to the absolute Will of the Prince, your Estates, your Libertys, your Lives, and your Religion, and even the very Laws, and the Legislative Power that defend them?

But with the leave of this generous Gentleman, he has given away more than was his own, and which I verily believe *his Prince* never will be able to enjoy: For it is manifestly prov'd, that the King whom we resisted never was possess'd of the whole Absolute and Supreme Power; he was not possess'd of the whole Power of laying Taxes upon the People, of disposing the Lives, Libertys and Estates of the Subjects contrary to the Forms of Law, of making Laws, or repealing or dispensing with Laws already made. But he seiz'd all these Powers, in defiance of our Constitution, and without consent of the Estates. So far was he from having their Consent, that he endeavour'd to deprive them of their very Being. The Commons of *England* were one of the three Estates, and entitled to an equal share of those Powers. The Commons ought to be Representatives of the People, freely chosen by their respective Countys, Citys and Boroughs. Some of the Electors were closeted for their Consents to chuse such Tools as wou'd be fit for the King's Occasions; others were utterly depriv'd of their Votes by Judgments on *Quo Warranto's*, and other illegal Regulations of Charters and Corporations.

The Argument, Gentlemen, is now brought into a very narrow Compass. A King who instead of protecting his People endeavours to destroy them, acts contrary to the End, breaks the Condition of his Government. A King who by the Constitution of his Country, has only Part of the Supreme Power, and yet seizes the Whole; a King, I say, in either of these Cases may be resisted by the Laws of Nature. The Prince whom we resisted is prov'd beyond all possibility of Contradiction to have been this very King. And therefore we invited over the Prince of *Orange*; the Lords, the Commons, the Clergy, the Laity, all Orders and Degrees of Men amongst us went chearfully into his Assistance: and thus we gain'd the Revolution.

If things were to be measur'd by their Consequences, the Success wou'd justify the Means. By these means we were ena-

bled to place the Crown upon the Head of our late glorious Deliverer : he rous'd us out of our former Lethargy, and from the lowest degree of Contempt and Infamy rais'd us to a Reputation beyond that of any other Country.

By these means we see the Crown flourishing upon the Head of her Sacred Majesty : She has carry'd on the Glory of her Reign beyond that of all her Predecessors ; She has sent her victorious Armys into Countrys, where the Names of many of her Predecessors were hardly ever heard ; She has reduc'd her own, and the most formidable Enemy of all *Christendom* ; She has taught him to retrench from his Schemes of Universal Monarchy, and to humble himself into the Posture of a Petitioner for the preservation of his old Dominions : And to compleat her Conquest of *this Hero of all Seasons* (as he is usually stil'd by his Flatterers) her Armys have *just now*, almost in the time of Winter, enter'd his Lines, and live at Discretion upon his Countrys. If the Heart of this ambitious Prince shall still be harden'd against the Prayers and Tears of his poor Subjects, yet we ought to be very thankful for this Success, which seems to be the Reward of Heaven for those Expressions of her Majesty's Piety towards God, and Love for all her People, so lately, so affectionately deliver'd from the Throne.

And since it has pleas'd Almighty God, for our Sins no doubt, to deprive her Majesty and the Nation of that inestimable Blessing the Duke of *Glocester* ; and if it shall also please him to grant us no other Branch of this excellent Princess, yet by these means we have been enabled to repair in some degree some part of that Loss, by settling the Succession of the Crown in the Protestant Line of the Illustrious House of *Hanover* ; by which we have provided not only for our present Security, but (it is to be hop'd) for that of our Posterity for ever. Unless the Doctor, and such as are of his Principles and Party, shall be allow'd to spread their Poison, to infect the People, and to make us out of love with our own Happiness.

The Doctor has asserted the utter Illegality of resisting Kings upon any pretence whatsoever : but he is amaz'd that by any Construction, this should be thought a Design to blacken the Revolution, cast odious Aspersions on the late King, arraign the Titles of the Queen and the whole Protestant Succession, encourage Sedition, and promote a Rebellion against the Government ; for how shou'd the Doctrine of Non-Resistance give any Encouragement to Rebellion ?

For my own part, Gentlemen, I sincerely believe her Majesty's Title to her Kingdoms to be indisputable. The same thing is also pretended by the Doctor, and some others of his Party ; I must therefore beg the favour of an Answer to this Question : If a successful Rebellion (which God forbid !) should force her Majesty to seek shelter in a foreign Country ; if also (which

(which is impossible) the Hearts of the People shou'd be given to the Usurper, what more effectual Method cou'd be taken to shake the Throne of this Usurper, and to reconcile the Subjects to the Queen, than to preach the utter Illegality of resisting Kings upon any pretence whatsoever? for shou'd the People come once to be persuaded of the Truth of this Doctrine, must they not think it their Duty to revolt from the Usurper, and to resettle her Majesty upon her Throne? the only Instance in which this Doctrine wou'd be capable of doing Good.

But what will People think, if once generally persuaded of the Truth of this Doctrine? What must People thus persuaded think of the Revolution, which was founded upon Resistance, and is no otherwise to be justify'd than by the Legality of that Resistance? Is not the Revolution blacken'd by the Assertion of this Doctrine?

Again, what must People thus persuaded think of the Title of our late glorious Deliverer, which was founded upon Resistance? and upon such a Resistance too, as not only set aside a King, and some other Pretenders for ever, but also postpon'd for the Life of his late Majesty, two nearer and every way unexceptionable Heirs of the Crown? How cou'd this be lawful, if the Resistance by which it was effected was unlawful? And is not this to cast an odious Aspersions on the Memory of the late King?

There are Multitudes ('tis fear'd) believe the Pretender to be legitimate. And what must People that believe this, and also the utter Illegality of Resistance upon any Pretence whatsoever? What must People so persuaded think of the Title of her present Majesty? It will be very hard to justify it, to such as believe the Legitimacy of the Pretender, but by the Legality of that Resistance, by which the Pretender was rejected.

Again, what must People thus persuaded think of the whole Protestant Succession? The Titles of those Princes cannot otherwise be justify'd, than by the Legality of that Resistance, which has set aside so many nearer Heirs to the Crown, to make way for that Succession.

But lastly, if People shall come once to be truly infected with the Poison of this Doctrine, and to believe the utter Illegality of resisting Princes upon any pretence whatsoever; and in consequence of this, that our Princes who subsist upon the Resistance made at the Revolution, are Kings *de facto*, and not *de Jure*, mere Usurpers of the Crown: what must they then think of our whole present Constitution? What must they think of our Parliaments summon'd by the Writs of such Princes? What else can they think, but that they are so many *Routs, Riots, or unlawful Assemblies*? that every Act of Parliament made by them is a Force without Right? that every
Tax

Tax they have levy'd is a Robbery of the People? That the Lords are no House of Lords, and the Commons no House of Commons?

It is impossible to preach Obedience, upon such Principles as tend directly to the Subversion of the Government. And therefore we have very lately seen the People up in Arms; the Doctor's People, his Passive-Obedience, his Non-resisting People, in open Rebellion against her Majesty, in contempt and defiance of the Lords and Commons then sitting, to rescue an Offender out of their hands. And what does all this shew, but the utmost Contempt of their Titles, founded upon that Resistance which was made at the Revolution?

Every Preacher ought to answer for all the Consequences of his Doctrine. The Doctor has not in any part of his Speech clear'd his Doctrine from these Consequences. But he has solemnly protested, he has invoc'd God and his Holy Angels to witness, that with the greatest Sincerity of Heart he believes the Queen's Title is indisputable, and that when it shall please God to gather her Majesty without Issue to her Ancestors, the Protestant Succession will have an undoubted Right to take place. Fear of God! Shame of Men! Reverence of holy things! whither were ye fled, when these Hypocrisys were utter'd? Will it clear the Doctor, to lay the Guilt of this Speech upon those Gentlemen who compos'd it? or can it be imagin'd that he has no more to answer for than a Player for his Part, which, without any design of imposing upon us, he has only acted upon the Stage?

Is not an Oath equally binding, by whomsoever the Form has been compos'd? And are not such great and tremendous Appeals to Heaven, pronounc'd with such Solemnity and before such an Assembly, much more pompous, and no less sacred than any common Form of an Oath, administer'd in a manner less solemn and affecting in our ordinary Courts of Judicature?

But let not these Gentlemen flatter themselves that they have the People on their side. Indeed a Mob has been wrought up by Artifice, wicked Industry, and subtle Insinuations of the Church's Danger from the Queen and her Ministry. A little time, and these Delusions will vanish; and when the Eyes of these poor Wretches shall be open'd, they will quickly see that neither Church nor State are in any manner of danger unless from such Leaders, and those that blindly follow them. But however this shall be, our happy Constitution will be able to preserve it self.